

BEFORE THE CITY COUNCIL OF ELGIN, OREGON

IN THE MATTER OF THE VACATION OF THE
 FOLLOWING STREETS situate in the City
 of Elgin, County of Union, State of
 Oregon, to-wit: THAT PORTION OF DEPOT
 STREET lying between Blocks 25 and 13
 of Hindman's Addition to the City of
 Elgin, Union County, Oregon, and the
 Oregon-Washington Railroad & Navigation
 Company right of way, commencing at the
 north boundary line of Detroit Street,
 at the intersection of Depot Street, N.
 Seventh Avenue and said Detroit Street,
 thence extending northeast to the Grande
 Ronde River; THAT PORTION OF N. SEVENTH
 AVENUE lying between Block 25 of Hindman's
 Addition to the City of Elgin, Union County,
 Oregon, and the Oregon-Washington Railroad
 & Navigation Company right of way, commencing
 at the north boundary line of Detroit Street,
 at the intersection of Depot Street, N.
 Seventh Avenue and said Detroit Street,
 thence extending North to Depot Street;
 THAT PORTION OF EVANSTON STREET lying be-
 tween Blocks 13 and 25-26 of Hindman's
 Addition to the City of Elgin, Union County,
 Oregon, commencing at the east boundary
 line of Depot Street, at the intersection
 of Evanston Street and Depot Street, thence
 extending east to the Grande Ronde River;
 THAT PORTION OF N. SIXTH AVENUE lying be-
 tween lots 1 to 6 inclusive, Block 25,
 and lots 19 to 24 inclusive, Block 26,
 Hindman's Addition, commencing at the south
 lines of said lots 6 and 19, thence ex-
 tending north to the intersection of N.
 Sixth Avenue and Evanston Street; all
 according to the recorded plat of said
 streets and Hindman's Addition to the City
 of Elgin, Union County, Oregon.

P E T I T I O N
 F O R
 V A C A T I O N
 O F
 S T R E E T S

TO: THE HONORABLE CITY COUNCIL OF THE CITY OF ELGIN, UNION COUNTY,
 OREGON:

The petition of the undersigned, ASSOCIATED SEED GROWERS, IN-
 CORPORATED, THE OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY,
 AND STELLA MAYFIELD, respectfully represents and shows as follows:

I.

That the above named petitioners respectfully petition your
 honorable body to vacate the following described streets situate
 in the City of Elgin, County of Union, State of Oregon, to-wit:
 THAT PORTION OF DEPOT STREET lying between Blocks 25 and 13 of

Hindman's Addition to the City of Elgin, Union County, Oregon, and the Oregon-Washington Railroad & Navigation Company right of way, commencing at the north boundary line of Detroit Street, at the intersection of Depot Street, N. Seventh Avenue and said Detroit Street, thence extending northeast to the Grande Ronde River; THAT PORTION OF N. SEVENTH AVENUE lying between Block 25 of Hindman's Addition to the City of Elgin, Union County, Oregon, and the Oregon-Washington Railroad & Navigation Company right of way, commencing at the north boundary line of Detroit Street, at the intersection of Depot Street, N. Seventh Avenue and said Detroit Street, thence extending North to Depot Street; THAT PORTION OF EVANSTON STREET lying between Blocks 13 and 25-26 of Hindman's Addition to the City of Elgin, Union County, Oregon, commencing at the east boundary line of Depot Street, at the intersection of Evanston Street and Depot Street, thence extending east to the Grande Ronde River; THAT PORTION OF N. SIXTH AVENUE lying between lots 1 to 6 inclusive, Block 25, and lots 19 to 24 inclusive, Block 26, Hindman's Addition, commencing at the south lines of said lots 6 and 19, thence extending north to the intersection of N. Sixth Avenue and Evanston Street; all according to the recorded plat of said streets and Hindman's Addition to the City of Elgin, Union County, Oregon.

II.

That Depot Street is a public street in the City of Elgin, Union County, Oregon, and was dedicated as such to the public use on or about the 22nd day of March, 1890. That a plat of said street was duly recorded on March 25th, 1890 on Book 0 at page 94 of Deed records and subsequently transferred to Plat Book 1 at page 27 thereof of the records of Union County, Oregon.

III.

That Evanston Street is a public street in the city of Elgin, Union County, Oregon; that said street was dedicated as

such to the public use on or about the 22nd day of March, 1890. That a plat thereof was recorded on March 25th, 1890, in Book 0 at page 94 of Deed records and subsequently transferred to Plat Book 1 at page 27 thereof of the records of Union County, Oregon.

IV.

That North Sixth Avenue is a public street in the City of Elgin, Union County, Oregon; that said street was dedicated as such to the public use on or about the 22nd day of March, 1890. That a plat thereof was recorded on March 25th, 1890 in Book 0 at page 94 of Deed records and subsequently transferred to Plat Book 1 at page 27 thereof of the records of Union County, Oregon.

V.

That North Seventh Avenue is a public street in the City of Elgin, Union County, Oregon; that said street was dedicated as such to the public use on or about the 22nd day of March, 1890. That a plat thereof was recorded on March 25th, 1890 in Book 0 at page 94 of Deed records and subsequently transferred to Plat Book 1 at page 27 thereof of the records of Union County, Oregon.

VI.

That the petitioner, ASSOCIATED SEED GROWERS, INCORPORATED, is a corporation organized under and existing by virtue of the laws of the state of Connecticut and duly authorized to transact business in the state of Oregon. That said petitioner, Associated Seed Growers, Incorporated, is the sole owner and only person interested in certain real property located within the City of Elgin, Union County, Oregon, to-wit:

All of Block 13, and lots 1 to 6 inclusive,
and lots 13 to 21 inclusive, of Block 25,
all in Hindman's Addition to the City of
Elgin, Union County, Oregon.

That said Block 13 abuts on its west side on a portion of Depot Street and on the south side on a portion of Evanston Street. That lots 1 to 6 inclusive in Block 25 abut on the north side thereof on Evanston Street and on the east side thereof on N. Sixth Avenue. That lots 13 to 21 inclusive of Block 25 abut on a portion of Depot Street and on a portion of N. Seventh Avenue at the point where said N. Seventh Avenue intersects said Depot Street.

VII.

That the petitioner, OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY, is a corporation organized under and existing under and by virtue of the laws of the state of Oregon and duly authorized to transact business in the state of Oregon; that said petitioner, Oregon-Washington Railroad & Navigation Company is the owner of certain real property located within the City of Elgin, Union County, Oregon, known as the Oregon-Washington Railroad & Navigation Company's right of way. That said property abuts on Depot Street within said City of Elgin, Union County, Oregon.

VIII.

That the petitioner, STELLA MAYFIELD, is the sole owner and only person interested in certain real property located within the City of Elgin, Union County, Oregon, to-wit:

All of Block 26, Hindman's Addition to the City of Elgin, Union County, Oregon.

That said Block 26 abuts on the north side thereof on a portion of Evanston Street and on the west side thereof on N. Sixth Avenue within the City of Elgin, Union County, Oregon.

IX.

That a copy of the plat of a portion of Hindman's Addition showing Blocks 13, 25 and 26 of said Hindman's Addition, the Oregon-Washington Railroad & Navigation Company's right of way, and those portions of Depot Street, Evanston Street, N. Sixth Avenue and N. Seventh Avenue hereinabove described is attached

hereto and by this reference made a part hereof. That all of the above mentioned streets and portions thereof hereinabove described, dedicated as public streets as aforesaid, have never been opened to use or used by the public; that said streets and particularly the portions hereinabove described are not at the present time being used by the public as public streets.

X

That your petitioners, ASSOCIATED SEED GROWERS, INCORPORATED AND STELLA MAYFIELD, and their predecessors in interest, have made some valuable improvements on said streets herein sought to be vacated, except the west half of Depot Street which will revert to your petitioner, OREGON-WASHINGTON RAILROAD AND NAVIGATION COMPANY; that the proposed use of said streets herein sought to be vacated will be for the construction of commercial buildings and storage space in connection therewith, for dwelling house purposes and out-buildings connected therewith, and for diverse other commercial and private purposes; that the west half of that portion of Depot Street herein sought to be vacated will revert to your petitioner OREGON-WASHINGTON RAILROAD AND NAVIGATION COMPANY, if this petition be allowed, and said petitioner will lease or otherwise use said reverted interest in said street for the purposes aforesaid.

XI

That the public interests will not be prejudiced by this vacation of the aforescribed portions of said streets.

WHEREFORE, your petitioners pray that the aforesaid portions of Depot Street, Evanston Street, N. Sixth Avenue and N. Seventh Avenue be vacated in accordance with and pursuant to Sections 95-1331 et seq, Oregon Compiled Laws Annotated.

ASSOCIATED SEED GROWERS, Incorporated

By

OREGON-WASHINGTON RAILROAD &
NAVIGATION COMPANY

By

Executive Vice President

Stella Mayfield

STATE OF CONNECTICUT)
COUNTY OF NEW HAVEN) SS.

I, GORDEN H. CLARK, being first duly sworn, depose and say: That I am the SECRETARY of the ASSOCIATED SEED GROWERS, INCORPORATED, one of the petitioners in the above entitled cause; that the said Associated Seed Growers, Incorporated, are the owners of all of Block 13, and lots 1 to 6 inclusive and lots 13 to 21 inclusive of Block 25, Hindman's Addition to the City of Elgin, Union County, Oregon; that I have read the foregoing petition and the same is true as I verily believe.

Gorden H. Clark
Secretary

Subscribed and sworn to before me this 18th day of August, 1952.

Dorothy M. Goodling
Notary Public for Connecticut
My commission expires: My Commission Expires April 1, 1956

STATE OF OREGON)
COUNTY OF UNION) SS.

I, STELLA MAYFIELD, being first duly sworn, depose and say: That I am one of the petitioners in the above entitled cause; that I am the owner of all of Block 26, Hindman's Addition to the City of Elgin, Union County, Oregon; that I have read the foregoing petition and the same is true as I verily believe.

Stella Mayfield

Subscribed and sworn to before me this 18th day of August, 1952.

Samuel J. Burton
Notary Public for Oregon
My commission expires: Notary Public For Oregon
My Commission Expires Mar. 11, 1955

STATE OF Nebraska)
COUNTY OF Douglas) SS.

I, A. J. Seitz, being first duly sworn, depose and say: That I am the Executive Vice President of OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY, one of the petitioners in the above entitled cause; that the said Oregon-Washington Railroad & Navigation Company is the sole owner of that portion of land running through the City of Elgin, County of Union, State of Oregon, known as the Oregon-Washington Railroad & Navigation Company right of way, a portion of which abuts on Depot Street within said City of Elgin, Union County, Oregon; that I have read the foregoing petition and the same is true as I verily believe.

A. J. Seitz

Subscribed and sworn to before me this 5th day of January, 1953.

Louis Scholmer
Notary Public for Douglas County
Residing at Omaha
My Commission expires May 19, 1954

BEFORE THE CITY COUNCIL OF ELGIN, OREGON

IN THE MATTER OF THE VACATION OF THE
 FOLLOWING STREETS situate in the City
 of Elgin, County of Union, State of
 Oregon, to-wit: THAT PORTION OF DEPOT
 STREET lying between Blocks 25 and 13
 of Hindman's Addition to the City of
 Elgin, Union County, Oregon, and the
 Oregon-Washington Railroad & Navigation
 Company right of way, commencing at the
 north boundary line of Detroit Street,
 at the intersection of Depot Street, N.
 Seventh Avenue and said Detroit Street,
 thence extending northeast to the Grande
 Ronde River; THAT PORTION OF N. SEVENTH
 AVENUE lying between Block 25 of Hindman's
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 tween lots 1 to 6 inclusive, Block 25,
 and lots 19 to 24 inclusive, Block 26,
 Hindman's Addition, commencing at the
 south lines of said lots 6 and 19, thence
 extending north to the intersection of
 N. Sixth Avenue and Evanston Street; all
 according to the recorded plat of said
 streets and Hindman's Addition to the City
 of Elgin, Union County, Oregon.

CONSENT OF OWNERS OF PROPERTY AFFECTED BY
 WITHIN PETITION FOR VACATION OF STREET

The undersigned owners of the described lots in Blocks 25, 30,
 31, and 32, Hindman's Addition to Elgin, Oregon, being the owners of
 property affected by the petition to vacate the above described streets
 located in said Hindman's Addition to Elgin, Oregon, hereby give
 consent to the allowance of the within petition of the abutting pro-
 perty owners for the vacation of said streets.

Name	Description of Property
Lloyd E. Spikes	Lots 7-12, inclusive, Block 25, Hindman's Addition
Marshall E. Russell	Lots 19-24, inclusive, Block 30, Hindman's Addition
Flora Golding	Lots 23-24, inclusive, Block 31, Hindman's Addition
Thelma Sherwood	Lots 13-22, inclusive, Block 31, Hindman's Addition
Maurice C. Sherwood	

<u>Name</u>	<u>Description of Property</u>
<u>Ronald D. Scoubes, Jr.</u>	<u>Lots 1-4, inclusive, Block 31, Hindman's Addition</u>
<u>Berlin Masten</u>	<u>All of Block 32, Hindman's Addition</u>

STATE OF OREGON,)
County of Union.) ss.

BE IT REMEMBERED, That on this 9th day of February, 1952, before me, the undersigned, a Notary Public for Oregon, in and for said County and State, personally appeared the within named Lloyd C. Spikes and Florence Spikes, husband and wife, Martha C. Russell, a widow, Ronald D. Scoubes and Jessie G. Scoubes, husband and wife, Flora Golding, a widow, ~~Thomas J. Spikes, an unmarried man~~, Maurice C. Sherwood and Thelma H. Sherwood, husband and wife, ~~and Berlin D. Masten~~, who are known to me to be the identical persons described in and who executed the within instrument and acknowledged to me that they, and each of them, executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 9th day of February, 1952.

Richard W. Brann, Jr.
NOTARY PUBLIC FOR OREGON

My Commission Expires: June 3, 1955.

STATE OF OREGON,)
County of Union.) ss.

BE IT REMEMBERED, That on this 16th day of February, 1952, before me, the undersigned, a Notary Public for Oregon, in and for said County and State, personally appeared the within named Lloyd C. Spikes and Florence Spikes, husband and wife, and Berlin D. Masten, an unmarried man, who are known to me to be the identical persons described in and who executed the within instrument and acknowledged to me that they, and each of them, executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 16th day of February, 1952.

NE Kuhn
NOTARY PUBLIC FOR OREGON

My commission expires: April 17, 1955

BEFORE THE CITY COUNCIL OF ELGIN, OREGON

IN THE MATTER OF THE VACATION OF THE
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of Elgin, County of Union, State of
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Seventh Avenue and said Detroit Street,
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AVENUE lying between Block 25 of Hindman's
Addition to the City of Elgin, Union County,
Oregon, and the Oregon-Washington Railroad
& Navigation Company right of way, commencing
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Seventh Avenue and said Detroit Street,
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THAT PORTION OF EVANSTON STREET lying be-
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Oregon, commencing at the east boundary
line of Depot Street, at the intersection
of Evanston Street and Depot Street, thence
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THAT PORTION OF N. SIXTH AVENUE lying be-
tween lots 1 to 6 inclusive, Block 25,
and lots 19 to 24 inclusive, Block 26,
Hindman's Addition, commencing at the south
lines of said lots 6 and 19, thence ex-
tending north to the intersection of N.
Sixth Avenue and Evanston Street; all
according to the recorded plat of said
streets and Hindman's Addition to the City
of Elgin, Union County, Oregon.

CONSENT OF OWNERS OF PROPERTY AFFECTED BY
WITHIN PETITION FOR VACATION OF STREET

The undersigned owners of the following described real
property situate in Union County, Oregon, to-wit:
the Northeast quarter (NE $\frac{1}{4}$) of the North-
east quarter (NE $\frac{1}{4}$) of Section fifteen (15),
Township one (1) North, Range thirty-nine
(39) East of the Willamette Meridian;
being the owners of property affected by the petition to vacate
the above described streets located in said Hindman's Addition
to Elgin, Oregon, hereby give consent to the allowance of the
within petition of the abutting property owners for the vacation
of said streets.

✓ Ethel M. Chandler
✓ Myron J. Chandler

X Mary E. Chandler.

STATE OF OREGON,)
County of Union.) ss.

BE IT REMEMBERED, That on this 6th day of May, 1952, before me, the undersigned, a Notary Public for Oregon, in and for said County and State, personally appeared the within named Ethel M. Chandler and Myron F. Chandler

who are known to me to be the identical persons described in and who executed the within instrument and acknowledged to me that they, and each of them, executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 6th day of May, 1952.

Richard W. Brown, Jr.
NOTARY PUBLIC FOR OREGON

My Commission Expires: June 3, 1955.

STATE OF OREGON,)
County of ~~Multnomah~~ Clackamas) ss.

BE IT REMEMBERED, That on this 13th day of May, 1952, before me, the undersigned, a Notary Public for Oregon, in and for said County and State, personally appeared the within named
MARY E. CHANDLER

who are known to me to be the identical persons described in and who executed the within instrument and acknowledged to me that they, and each of them, executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 13th day of May, 1952.

X - William R. Burgess
NOTARY PUBLIC FOR OREGON

My Commission Expires: Jan 31 - 1956



O.W.R. & N. Co.
U.P.R.R. Co. (Lessee)

ELGIN, ORE.

Showing portions of streets
proposed to be vacated.
Scale: 1" = 100'
Office of Chief Engineer
Omaha, Nebr., Sept. 25, 1960

* LEGEND *

Portions of streets proposed
to be vacated outlined in yellow.
Portion of vacated streets to be
acquired by R.R. Co. tinted green.
Height of way outlined in red.

CANo 64763 CDNo 31161
Associated Seed Growers Inc
Spur Track 7-27-46
CEFile OW 10-67-1